

FISCAL NOTE

HB 759 - SB 1322

March 10, 2001

SUMMARY OF BILL:

- Authorizes the commissioner of each department to prescribe regulations related to his/her department. Such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act unless a commissioner is specifically authorized by law to use a different method for promulgating rules.
- Requires a memorandum of understanding between departments when one department provides services for another department and is reimbursed for those services. This is in addition to the approval by the Commissioner of Finance and Administration.

Current law authorizes all commissioners of state departments to make regulations, consistent with law, for the governance of their departments. Also under current law, a department of state government that performs services for another department may be reimbursed for its services from the funds appropriated to the recipient department. All such reimbursements are subject to approval by the Commissioner of Finance and Administration.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - Less than \$100,000

Since the Administrative Procedures Act contains an exception to the rulemaking requirement for *statements concerning only the internal management of state government and not affecting private rights, privileges or procedures available to the public*, the proposed legislation does not go beyond what present law requires.

Assumes additional staff time for the fiscal officer and program manager of each department to provide *written agreements* for the number of transactions that would be affected. In some instances, it may be necessary to hire additional staff to process the increase in interdepartmental agreements.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



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James A. Davenport, Executive Director